

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

CIVIL ACTION NO. 5:15-CV-200-FL

CARL TUTOR,)
v. Plaintiff,)
TOWN OF FUQUAY-VARINA,)
a municipal corporation,)
Defendant.)

) STIPULATED CONSENT ORDER
 REGARDING COSTS AND FEES

The Court, having considered the Parties' Motion to Approve Stipulated Consent Order Regarding Costs and Fees, and the Parties having consented pursuant to Local Rule 54.1 to entry of a Stipulated Consent Order Regarding Costs and Fees, the Court finds as follows:

WHEREAS, Plaintiff filed this Complaint against the Defendant on February 27, 2015;

WHEREAS, this Court granted Defendant's Motion for Summary Judgment on July 19, 2016, and entered judgment on that date;

WHEREAS, this Court denied Plaintiff's Motion for Summary Judgment on July 19, 2016, and entered judgment on that date;

WHEREAS, Plaintiff has agreed to waive all rights to pursue this action any further, including any further Motions at the District Court level or an appeal to the Fourth Circuit;

WHEREAS, Defendant has agreed not to seek costs and/or any fees against Plaintiffs:

IT IS HEREBY ORDERED with the consent of the Parties that:

1. Plaintiff has waived any right to pursue this action any further, including any further Motions at the District Court level or an appeal to the Fourth Circuit;
2. Each Party will bear his or its own attorney fees, expenses, and costs.

The Parties, by their respective representatives, hereby agree and stipulate to each of the terms and conditions as set forth in the foregoing Stipulated Consent Order Regarding Costs and Fees.

IT IS SO ORDERED.

This the 2nd day of August, 2016.



LOUISE W. FLANAGAN
UNITED STATES DISTRICT COURT JUDGE

AGREED to this 2nd day of August, 2016.

GRAEBE HANNA & SULLIVAN, PLLC

BY: /s/ Christopher T. Graebe
CHRISTOPHER T. GRAEBE
N. C. State Bar No. 17416
4350 Lassister at North Hills Avenue
Suite 375
Raleigh, NC 27609
Telephone: (919) 863-9092
Facsimile: (919) 863-9095
E-Mail: cgraebe@ghslawfirm.com

JACKSON LEWIS P.C.

BY: /s/ Ann H. Smith
ANN H. SMITH
N. C. State Bar No. 23090
Attorneys for Defendant
13737 Glenwood Avenue, Suite 450
Raleigh, NC 27612
Telephone: (919) 760-6465
Facsimile: (919) 760-6461
E-Mail: ann.smith@jacksonlewis.com